

**AFFIDAVIT OF SPECIAL AGENT PETER COSTE IN SUPPORT OF
APPLICATIONS FOR A CRIMINAL COMPLAINT AND A SEARCH WARRANT**

I, Peter Coste, having been duly sworn, do hereby depose and state as follows:

Agent Background

1. I am a Special Agent with Homeland Security Investigations (“HSI”) and have been so employed since December 2018. I have successfully completed a training program in conducting criminal investigations at the Federal Law Enforcement Training Center in Glynco, Georgia. In 2017, I graduated from Fairleigh Dickinson University at Teaneck, New Jersey with a B.A. degree in Individualized Studies with a Specialization in Criminal Justice. My current duties as an HSI Special Agent include conducting investigations involving the fraudulent acquisition, production, and misuse of United States immigration documents, United States passports, and identity documents. Due to my training, experience, and conversations with other law enforcement officers, I am familiar with the methods, routines, and practices of document counterfeiters, vendors, and persons who fraudulently obtain or assume false identities.

2. I am also a member of HSI’s Document and Benefit Fraud Task Force (“DBFTF”), a specialized field investigative group comprised of personnel from various state, local, and federal agencies with expertise in detecting, deterring and disrupting organizations and individuals involved in various types of document, identity and benefit fraud schemes. DBFTF is currently investigating suspected aliens who are believed to have obtained stolen identities of United States citizens living in Puerto Rico and used those identities to obtain public benefits, which they would not otherwise be eligible to receive, including Massachusetts Registry of Motor Vehicles (“RMV”) identity documents, Social Security numbers (“SSNs”), MassHealth benefits, public housing benefits, and unemployment benefits. Agents have conducted an analysis of individuals who have received certain public benefits in Puerto Rico and Massachusetts on or

about the same dates in an effort to identify individuals in Massachusetts who have been unlawfully and fraudulently using the identities of United States citizens.

Purpose of Affidavit

3. I submit this affidavit in support of an application for a criminal complaint charging Jane DOE with (1) False representation of a Social Security Number, in violation of 42 U.S.C. § 408(a)(7)(B), and (2) Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A.

4. I also submit this affidavit in support of an application for a search warrant for the following property: 5 Saunders Street, Apartment 3, Lawrence, Massachusetts, as described in Attachment A. I have probable cause to believe that this property contains evidence, fruits, and instrumentalities of the crimes identified above, as described in Attachment B.

5. As set forth in more detail below, there is evidence that Jane DOE unlawfully used the name and SSN of a real person while knowing that these identifiers belonged to a real person. Among the evidence that Jane DOE knew that this identity was that of a real person is her successful use of the identity to obtain multiple official government identification documents and her use of this identity to earn wages.

6. This affidavit is based on my personal knowledge, information provided to me by other law enforcement officers and federal agents, and my review of records described herein. This affidavit is not intended to set forth all of the information that I have learned during this investigation but includes only the information necessary to establish probable cause for the requested complaint and search warrant.

Probable Cause

The RMV Application

7. On December 9, 2016, an individual submitted an application for the renewal of a Massachusetts driver's license at the RMV office in Lawrence, Massachusetts. The applicant represented on the application that she was a person whose initials were M.D.G.¹ She further represented that her date of birth was xx/xx/1972, and that her SSN was xxx-xx-8709. The RMV took a photograph of the applicant on December 9, 2016, as part of the renewal driver's license application. The individual purporting to be M.D.G. signed the application under penalty of perjury. As a result of that application, the RMV issued the person purporting to be M.D.G. a driver's license with no. Sxxxx1897.

Other Use of the Imposter Identity

8. According to Department of Labor wage records, M.G. (with SSN xxx-xx-8709) received wages from Lawrence Staffing Services in 2014, Target Corporation from 2014 until 2018, and General Linen Service Co. from 2015 until 2019.

9. The Medicaid Program is a joint federal-state program that provides health coverage to certain categories of people, including eligible low-income adults, children, pregnant women, the elderly, and people with disabilities. Medicaid is administered by the states, according to federal requirements, and is funded jointly by the states and the federal government. MassHealth is the Medicaid Program in Massachusetts.

10. According to MassHealth records, between July 2012 and December 2018, at

¹ I am protecting the identity of the victim by using initials only. The identity of the victim, M.D.G. is known to the government. These initials represent the victim's first and last names. To protect the victim's privacy, only the initials "M.D.G." and "M.G." are used in this affidavit to reflect variations of the victim's full name.

MassHealth received at least two applications for MassHealth benefits in the name of M.G. The application submitted on or about March 18, 2015 lists M.G.'s name and provides SSN xxx-xx-8709 and a date of birth of xx/xx/1972. The application lists a home address of 5 Saunder Street, third floor, Lawrence, MA.

Unemployment Insurance Benefits

11. In the Commonwealth of Massachusetts, Unemployment Insurance ("UI") benefits are funded by the UI Trust Fund, which is comprised of monies obtained by state-imposed taxes on employers, and federal funds. The Department of Unemployment Assistance ("DUA") administers the UI program.

12. For a claimant to be eligible to receive UI benefit payments from the UI Trust Fund, a claimant's Social Security Number ("SSN") needs to be reported by an employer to DUA in quarterly employment and wage detail reports. Furthermore, a claimant must be available to work which includes legal authorization by DHS if not a US Citizen.

13. To apply for UI, the claimant must first create an online account and provide their SSN, date of birth, mailing address, phone number and email address and the former employer's name, address, reason for unemployed status and start and end dates of employment. At the "Identity Verification" section, the claimant certifies, upon submission application, "under penalty of perjury, all information provided is as complete and accurate to the best of my ability."

14. On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") was signed into law. The CARES Act provides enhanced UI benefits to include a new temporary federal program unemployment insurance program called Pandemic Unemployment

Assistance² (“PUA”), as well as a new temporary federal program called Federal Pandemic Unemployment Assistance (“FPUC”).

12. Under the CARES Act, claimants are eligible to receive up to 39 weeks of either UI or PUA depending on their eligibility determination. In addition, recipients of both UI and PUA will receive FPUC monies, an additional \$600 weekly benefit, until on or before July 31, 2020.

13. Prior to the COVID19 pandemic and the subsequent passing of the CARES Act, after a one week waiting period to verify eligibility, DUA would make all initial UI claims payments by paper check, which is mailed to the address listed on the claim account. After the initial payment, the claimant can choose to receive payments by debit card or direct deposit. However, due to the increased unemployment caused by the pandemic, DUA eliminated the one week waiting period and paper check payment. As such, all claims were approved³ and benefit payments were made to claimants either via direct deposit or onto a pre-paid Bank of America debit card.

14. According to DUA, on or about April 19, 2020, a claim for UI benefits was filed with DUA for M.D.G. using SSN xxx-xx-8709. The claimant listed a residential and mailing address of 5 Saunders St Apt 1 ... 3, Lawrence, Massachusetts. The claimant further identified herself as a United States citizen. In addition, the claimant requested the UI monies to be deposited into TD Bank, NA account # xxxxxx8954.

² PUA provides unemployment insurance (“UI”) benefits for individuals who are not eligible for other types of unemployment (e.g., self-employed, independent contractors, gig economy workers)

³ In June 2020, DUA reinstituted eligibility verifications on UI claims to include, but not limited to, employment verifications.

15. On or about April 25, 2020, DUA determined M.D.G.'s UI claim was ineligible because no wages were reported on SSN xxx-xx-8709. As such, DUA did not pay any UI and/or FPUC monies on this claim.

16. The DUA system tracks all activity associated with each registered account, and maintains documentation of activity related to claimant and employer accounts. Included in those records are the IP addresses used by the computer that initiated activity on these account.

17. From on or about April 19, 2020 to on or about April 28, 2020, DUA logged IP address 108.49.202.151 when M.D.G.'s UI account was accessed. Through publicly available databases, MCI Communications Services, Inc. d/b/a Verizon Business was identified as the Internet Service Providers ("ISP"). According to MCI Communications Services, Inc. d/b/a Verizon Business, the subscriber/account holder for 108.49.202.15 is M.G. at 5 Saunders Flr 3, Lawr, MA 0184 with a phone number of 9788733172 and an email of lizggotay@gmail.com. MCI Communications Services, Inc. d/b/a Verizon Business identified this account has been active from December 29, 2018 to the present.

Confirmation of a Valid Social Security Number

18. The Social Security Administration ("SSA"), Office of Inspector General has confirmed that SSN xxx-xx-8709 is assigned to M.D.G.

Identification of the Imposter

19. Information from Puerto Rico's Driver and Vehicle Information Database ("DAVID") assigned to an individual named M.D.G. indicates that this person has a date of birth of xx/xx/1972, is assigned SSN xxx-xx-8709 and lives in San Juan, Puerto Rico. I have examined a photograph associated with that DAVID record for this person and conclude that the individual depicted in that photograph is not the same as the individual depicted in the

photograph taken on December 9, 2016 at the RMV in Lawrence, Massachusetts.

Search for Identification Documents

20. On September 23, 2020, agents conducted surveillance in the area of 5 Saunders Street, Lawrence, Massachusetts. Agents conducted a knock and talk and encountered an apparent resident of Apartment 1 at 5 Saunders Street who positively identified M.G. as being one of the residents of Apartment 3.

21. On September 29, 2020, agents conducted surveillance in the area of 5 Saunders Street, Lawrence, Massachusetts and observed Jane DOE (the individual utilizing the M.D.G. identity and depicted in the photograph taken on December 9, 2016 at the RMV office in Lawrence, Massachusetts) exit the residential building located at 5 Saunders Street, enter a white van, and depart the area. The name M.G. is written on one of the exterior mailboxes at 5 Saunders Street, Lawrence, Massachusetts.

22. I know, based on my training and experience, that:

- a. Individuals often keep identification documents and other evidence of identity for long periods – sometimes years – and tend to retain such documents even when they depart a given residence. Such documents include social security cards, passports, tax returns, legal documents, utility bills, phone bills, health insurance or prescription cards, medical records, marriage licenses, family records, scrapbooks, photographs, diplomas and other school records, birth certificates, immunization records, bank records, credit card statements, personal correspondence and books or mementos on which they have inscribed their names.
- b. Individuals often keep identification documents and other evidence of

identity in their residence, in part to ensure the security of these documents and in part to allow for access to these documents when needed.

c. In addition, it is common for those who use other persons' identities without authorization to maintain fraudulently obtained identification documents in secure locations within their residence to conceal them from law enforcement authorities; and,

a. It is common for individuals who use fraudulently obtained identification documents to retain those documents for substantial periods of time so that they can continue to use the fraudulently obtained identities.

23. All agents participating in the search of the premises described in Attachment A will be informed of the full name represented by the initials that appear in Attachment B.

Conclusion

24. Based on the foregoing, I have probable cause to believe that, on or about December 9, 2016, Jane DOE (1) falsely represented, with intent to deceive and for any purpose, a number to be the social security account number assigned by the Commissioner of Social Security to her, when in fact such number is not the social security account number assigned by the Commissioner of Social Security to her, all in violation of 42 U.S.C. § 408(a)(7)(B); and (2) knowingly transferred, possessed and used, during and in relation to any felony violation enumerated in 18 U.S.C. 1028A(c), and without lawful authority, a means of identification of another person in violation of 18 U.S.C. § 1028A.

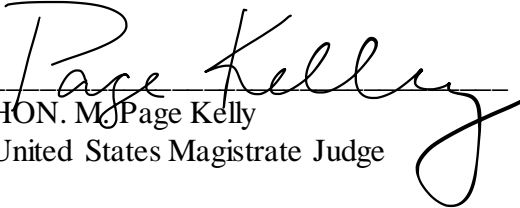
25. Based on the forgoing, I have probable cause to believe that evidence, fruits, and instrumentalities of these crimes, as described in Attachment B, are located in the premises described in Attachment A.

Sworn to under the pains and penalties of perjury.

/s/ Peter Coste

PETER COSTE
Special Agent
Homeland Security Investigations

SUBSCRIBED and SWORN before me telephonically pursuant to Fed. R. Crim. P. 41(d)(3) this 20th day of October, 2020.


HON. M. Page Kelly
United States Magistrate Judge

